

**REGISTER NUMBER: 412**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 01/09/2008

Case number: 2008-541

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001<sup>(1)</sup>

*(1) OJ L 8, 12.01.2001*

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

*(2) Please attach all necessary backup documents*

1/ Name and address of the controller

2) Name and First Name of the Controller: ANKLAM Elke

3) Title: Head of Unit

4) Directorate, Unit or Service to which the Controller is attached: I.

5) Directorate General to which the Controller is attached: JRC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

3/ Name of the processing

Management of Safety at Work at the JRC-IHCP Institute in Ispra

4/ Purpose or purposes of the processing

The purpose of the processing of updating and verification of employee data is necessary in order to comply with the employer's obligations on safety at work (Italian Law Dlgs 626/94).

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All employees of the JRC-IHCP Institute

16) Category(ies) of Data Subjects:

All employees of the JRC-IHCP Institute

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(including, if applicable, special categories of data (article 10) and/or origin of data)

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

Personal and administrative data for each employee as available in DATAPOOL: name, surname, birthday, nationality, sex, taxpayer's code, direction/institute/unit, employer/supervisor, start contract date, job description, scientific/technical/administrative action/activity, Commission Login User Name, personal number,

office/laboratory location/building, type of contract, employee and employer signatures/dates on forms/sheets/documents.

Other data are linked to:

- Training data from SYSLOG FORMATION: data from the training map (courses requested) and the training passport

(courses followed) about language courses, general courses, compulsory safety courses and others from the e-learning database.- Data related to safety at work like exposures to work risks,

data about accidents at work, data about medical and professional

fitness: date of accident at work, location, witnesses, accident details, period of absence, injuries, possible exposure substances/radiations?,

exposure time/single operation, number operations/month, quantity/single operation,

environ exposure method, substance used, compulsory protective equipment devices or

safety measures, professional risks exposure, physical/sensory fitness: Cat A=?., Cat B=?.,

,medical fitness/professional fitness,?

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Personal and administrative data

Training data

Data related to safety at work

The processing falls under art. 10

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

A communication to all the IHCP employees is available at the JRC Institute Intranet website in the context of Safety at Work including documents and procedures to prevent for residual risks (e.g. Devices for Individual Protection (DPI)):

<http://ihcp-agera.jrc.it>

See Privacy Statement in attachment which will be available at the same website.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(rights of access, to rectify, to block, to erase, to object)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

see Privacy Statement.

A functional mailbox is available:

[jrc-ihcp-dir-sec@ec.europa.eu](mailto:jrc-ihcp-dir-sec@ec.europa.eu)

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

The Prevention and Protection Service Responsible (RSPP) of the Institute for Health and Consumer Protection (IHCP) of the Joint Research Centre (JRC) is dealing with the collection and consultation of personal data for updating and verification of the fitness to work for each employee of the JRC Institute in the frame of safety at work.

Personal data are coming from different sources: staff data via DATAPOOL; data about training courses both via SYSLOG FORMATION and via E-Learning database (a specific programme at Institute level) ;

the new arrivals checklists about administrative procedures and safety and laboratory related items, data about accidents at work, the leaving check list, the risk assessment sheet or working destination sheet; the professional hazard sheet, the data sheets about exposure to carcinogenic substances and to nanoparticles; data about medical and professional fitness.

This processing falls under Art 27 because of possible medical data (professional qualifications, accidents, pregnancy) and of personal data like learning abilities in E-learning.

See attachments at point 37.

8) Automated Processing operation(s):

Collection and consultation of staff data coming from the available databases

9) Manual Processing operation(s):

Collection and consultation of paper check lists filled in by the employee and verified by the employer

10/ Storage media of data

Paper and electronic media

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- Directive 89/391/CEE (and complementary directives) on " la mise en oeuvre de mesures visant à promouvoir l'amélioration de la sécurité et de la santé des travailleurs au travail ".
- Italian law Dlgs 626/1994 about the "sicurezza sui luoghi di lavoro", which is applicable to the JRC, in agreement with the Law 906/1960, Art. 31: " La Commission applique, sous sa seule responsabilité, les dispositions italiennes en matière d'Hygiène et Sécurité du Travail".

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

Art. 5.a): the processing is necessary for the execution of a mission of public interest (management of the Institutions).

This processing falls under Art 27

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

Unit Heads,  
Safety Officer (RSPP)

21) Category(ies) of recipients:

Hierarchy,  
Safety Officer (RSPP)

13/ retention policy of (categories of) personal data

Personal data are retained as long as the employee is under contract.

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)  
(on justified legitimate request from the data subject)  
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

Upon a justified request by the data subject the personal data will be modified within 14 days.

14/ Historical, statistical or scientific purposes

*If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,*

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Not applicable

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

28) Category(ies) of Personal Data or Personal Data to be transferred:

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

7) Description of Processing:

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12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

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This processing falls under Art 27

Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Article 27.2.(a) Processing of data relating to health

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

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17/ Comments

1) Date of submission:

10) Comments if applicable:

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

no

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

The following sheets are attached herein:

- New Arrivals Administrative Checklist Admin
- New Arrivals Safety and Laboratory
- Data about accidents at work (Rapporto d'Infortunio)
- Leaving Checklist
- Risk Assessment Sheet (Scheda Blu Inglese)
- Professional Hazard Sheet V.1
- Data Sheet about Exposure to Carcinogenic Substances (Registro Esposizione)
- Data Sheet about Exposure to Nanoparticles (Modulo Esposti Nanoparticelle)

PLACE AND DATE:26/08/2008

DATA PROTECTION OFFICER: GEORGES Louis

INSTITUTION OR BODY:European Commission